

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CRIMINAL ACTION NO. 17-10330-RGS

UNITED STATES OF AMERICA

v.

KELVIN CHALAS

ORDER ON PENDING MOTIONS
TO SUPPRESS

August 16, 2019

STEARNS, D.J.

Pending for decision before the court are two motions to suppress filed by defendant's first court-appointed attorney, since adopted by his successor, James Caramanica, Esq.¹ The court heard oral argument on the motions on June 27, 2019. Today the court received a letter from defendant dated August 9, 2019, expressing frustration with attorney Caramanica's legal advice, particularly over evidentiary matters, and alleging "a complete breakdown i[n] communication." Dkt # 83 (under seal). He also requests appointment of new counsel. While the court will grant the request, defendant is warned that no further court appointments of counsel will be made. The court will further treat the two pending motions to suppress as

¹ A third motion to suppress statements attributed to the defendant was withdrawn. See Dkt # 52.

withdrawn without prejudice pending review by new counsel. *See* Dkt ## 50, 53. As the delay in the resolution of the motions practice now pending before the court is attributable to defendant, the court will exclude for Speedy Trial Act purposes the time from the filing of the original motions (November 13, 2018) until such time as new counsel and defendant either refile the original motions or decide on an alternative approach.

The Clerk will refer the matter to the Magistrate Judge for the appointment of new counsel.

SO ORDERED.

/s/ Richard G. Stearns

UNITED STATES DISTRICT JUDGE